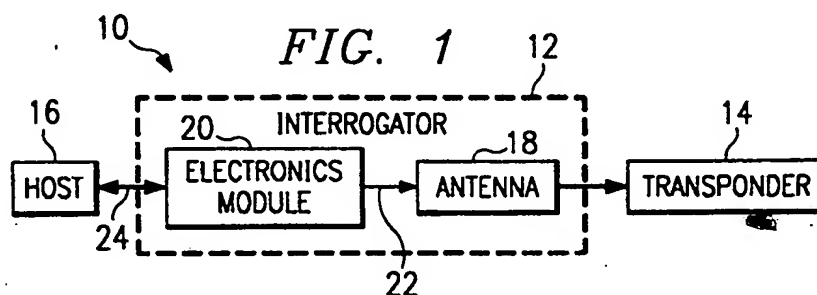


REMARKS

In an Office Action mailed October 20, 2005 as entered in the above captioned matter, the Examiner rejected claims 1-15 under 35 U.S.C. 103(a) given Hurta et al. (U.S. Patent No. 5,450,087) ("Hurta") in view of Fitzgibbon et al. (U.S. 2003/0210131) ("Fitzgibbon"). The applicant respectfully traverses these rejections and requests reconsideration.

Prior to discussing the merits of the Examiner's position, the applicant believes it would be helpful to first briefly describe and characterize the teachings of the Hurta reference. Hurta discloses a so-called transponder maintenance mode method. Hurta in particular describes a context where any one of a large number of so-called transponders must wirelessly communicate with any one of a large number of so-called interrogators. Such a situation exists, for example, with wireless toll payment systems as are used with certain toll roads. In such a setting the transponder would be carried by a vehicle and the interrogator would be installed at a toll collection point.

Hurta describes his interrogator with reference to FIG. 1 from the Hurta reference (with FIG. 1 being reproduced below for the convenience of the reader).



This interrogator 12 communicates with transponders 14 by transmitting an interrogation signal to the transponder 14. The transponder 14 responds to that interrogation signal by powering up and by transmitting back to the interrogator 12 a response signal that contains a transponder-unique identifying code. This identifying code may then be passed to a host computer 16 to facilitate, for example, debiting the driver's account.^a This host

^a Hurta column 5, lines 13-24.

computer may also control other peripheral functions of a toll plaza such as operating traffic control gates.^b

Accordingly, Hurta's interrogator makes no provision for a display or other user interface. Hurta's interrogator, in particular, lacks a user input interface. The lack of such accouterments is perhaps not surprising as such elements could be viewed as reducing the security of such a system. For example, providing a display of a valid transponder identifier, or permitting an individual to call up such an identifier via the interrogator itself could be viewed as needlessly risking the sanctity and security that one might ordinarily wish for such information. User interface components might also be viewed as adding needless cost to the interrogator as the functionality and purpose of the interrogator is well served without such components.

It can also be seen that Hurta's interrogator does not otherwise store or retain transponder identifiers, either prior to engaging in an exchange with a given transponder or thereafter.^c In addition, Hurta's interrogator only serves to receive and to forward transponder identifiers; in particular, Hurta's interrogator takes no part in ascertaining whether a given transponder corresponds to a valid identifier or has, for example, adequate funds in a corresponding toll account.

The Examiner argues that Hurta teaches "providing a memory containing a plurality of the unique identifiers (col. 17, lines 13-62).^d First, this statement is not literally correct; the memory described at this part of the Hurta reference only provides identifier information for a single transponder. Hurta has no need for more than one identifier because this memory resides in Hurta's transponder and not in Hurta's interrogator or host. Therefore, the one identifier that resides in this transponder memory correlates directly to the transponder itself.

^b Hurta column 5, lines 56-61.

^c One might of course presume that the interrogator does retain transponder identifiers briefly, as in a buffer memory, to facilitate forwarding that information to the host subsequent to receiving such information from a given transponder, but there is no need or facility to support longer term storage of such information.

^d Office Action at page 2, section 3.

Second, it should be emphasized that this memory *is* a transponder memory and not an interrogator memory. The importance of this will be made more evident below.

The Examiner also makes an argument that relates to Hurta's use of a so-called flags register and how such flags might be viewed as being "blocking indicators" as appears in the applicant's claims. Though perhaps literally true, again it should be emphasized that this flags register appears in the *transponder's memory* and *not* in the interrogator's memory.

The Examiner then argues that Hurta discloses detecting assertion of a first user interface input that comprises a command to display blocked unique identifiers and then displays at least a first memory location address as contains a unique identifier as is then stored in the memory in association with one of the blocking indicators. To support this conclusion, the Examiner asserts that Hurta discloses a maintenance mode in which an authorized entity can store user information into the transponder's memory. The Examiner further argues that "it is inherent that when entering data into a memory there is typically a means for the user to see the current state (usually the computer display screen) of the memory content upon entry into the system."^e

The Examiner's broad conclusory assertions are highly misplaced. As a first observation the applicant notes that, in general, it is more often *not* the case that a means is provided for a user to see a current state of memory content for a given memory device. Memory-based devices are relatively ubiquitous and, for the vast majority of their application settings, no user interface (or a only very limited user interface) is provided. As but one simple illustrative example of many, consider the large number of processor-based memory-capable devices that are deployed in conjunction with a modern automobile. As memory contents are changed over time, as a general rule, these memory contents are not readily viewable by the driver of the automobile. Accordingly, it cannot be fairly said that all memories have a corresponding display capability that is so inherent as to justify a broad sweeping statement that Hurta's transponder memory must also inherently have such a display.

^e Office Action at page 3, last paragraph.

As a second more particular observation, there is nothing in Hurta to suggest that one skilled in the art might actually wish to provide such capabilities in conjunction with Hurta's transponder. Hurta teaches, for example, that at least some of the information being carried in the transponder's memory can comprise information that is written to the memory by a first interrogator and that is intended to be read by a subsequent interrogator. It is more reasonable to conclude that such information, being intended for review by another infrastructure element rather than for any use by the transponder itself, is more preferably kept secret from the transponder user rather than being freely available to such a user. Accordingly, the applicant respectfully submits that Hurta actually teaches away from any combination or alteration that would imbue his transponder with either a user input interface or a display.

Applicant's claim 1 reads as follows:

A method for use with a control device, which control device is operably coupleable to a movable barrier operator and receives movable barrier operator instructions from a plurality of transmitters, each of which transmitters is identifiable by a unique identifier, the method comprising:

- **providing a memory containing a plurality of the unique identifiers**, wherein at least some of the unique identifiers can also have stored in correspondence therewith a blocking indicator to indicate that the unique identifier associated with the blocking indicator is not authorized to control at least one aspect of the movable barrier operator;

- upon detecting assertion of a **first user interface input** that comprises a command to **display** blocked unique identifiers, **displaying at least a first memory location address as corresponds to a unique identifier as is then stored in the memory in association with one of the blocking indicators**.

As already noted above, Hurta fails to teach provision of a memory that contains a *plurality* of unique identifiers as correspond to a plurality of movable barrier operator instruction transmitting transmitters. Instead, Hurta only provides a memory that contains a unique identifier for a single such transmitter at best.

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As also already noted above, Hurta also fails to teach provision of either a user interface input of any kind let alone that comprises a command to display blocked unique identifiers. Similarly, Hurta also fails to teach a means or motivation of displaying any such memory contents.

It should also be observed that Hurta fails to meet the recitations of this claim in a more fundamental way as well. This claim, having established the existence of a memory that contains both unique identifiers along with corresponding blocking indicators, introduces the notion of a “command to display blocked unique identifiers.” Hurta makes no suggestion that such a command might or should exist.

The Fitzgibbon reference provides nothing to redress these serious omissions with respect to the teachings of Hurta. Accordingly, no combination of Hurta with Fitzgibbon, regardless of how obvious or unobvious that combination might be, will yield the recitations of claim 1. The applicant therefore respectfully submits that claim 1 may be passed to allowance.

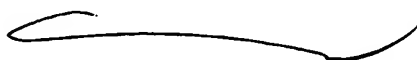
Independent claims 10 and 15 have limitations that are similar to those discussed above. Accordingly, the observations set forth above are applicable here as well. For the sake of brevity, however, those observations will not be repeated here. The applicant respectfully submits that claims 10 and 15 may also be passed to allowance.

The remaining claims are ultimately dependent upon one of the independent claims shown allowable above. In addition, these claims introduce further content which, particularly when viewed in context from the claim or claims from which they depend, constitutes additional incremental patentable subject matter. For all these reasons, the applicant respectfully submits that the dependent claims may be passed to allowance as well.

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There are no other objections to or rejections of the applications or the claims. The applicant respectfully submits that the claims are patentable over and above the prior art references of record even presuming the Examiner's speculations to be accurate as the primary reference lacks numerous elements of the claims. The applicant therefore respectfully submits that claims 1-15 may be passed to allowance.

Respectfully submitted,

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